Colchester Public Schools

CABE-SUGGESTED POLICY REPLACEMENT

4212.42P

PERSONNEL

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

The Colchester Public Schools District is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA), as may be amended, and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The District shall adhere to federal and state law and regulations requiring a school bus driver's drug and alcohol testing program.

In addition to the above cited federal requirement, the Board of Education expects its school transportation carrier, by June 30, 2019, to provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector ("EpiPen"), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it. In addition, the transportation provider will have a drug and alcohol testing program fulfilling federal regulations, and state law pertaining to a required pre-employment and random drug testing program for drivers of school buses and school transportation vehicles (STVs) that carry ten or fewer students.

~~The Colchester Public School district is committed to the establishment of a drug and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The District shall adhere to federal law and regulations requiring a school bus driver's drug and alcohol testing program.~~

~~The Superintendent or his/her designee shall implement this program beginning January I, 1996.~~

~~Contracts for transportation approved by this District shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.~~

Legal Reference:

United States Code, Title 49
2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)
Code of Federal Regulations, Title 49
40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs
382 Controlled Substance and Alcohol Use and Testing
395 Hours of Service Drivers
Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.
International Brotherhood of Teamsters v. Department of Transportation 932 F. 2d 1292 (1991)
American Trucking Association, Inc. v. Federal Highway Administration, (1995) WL 136022 (4th circuit)
Connecticut General Statutes
PA 95-140 An Act Authorizing Drug Testing of Drivers of Certain Commercial Motor Vehicles.

Policy adopted: January 8, 2002
Policy revised: March 30, 2021

COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut